

AMENDMENTS TO LB 940

- 1 1. Insert the following new section:
- 2 "Sec. 2. Section 46-656.10, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 46-656.10. Any ~~violation of~~ person who violates a cease
- 5 and desist order issued by a district pursuant to section 46-656.08
- 6 shall be guilty of a Class IV misdemeanor or subject to a civil
- 7 penalty of not more than five thousand dollars for each day an
- 8 intentional violation occurs. In assessing the amount of the civil
- 9 penalty, the court shall consider the degree and extent of the
- 10 violation, the size of the operation, and any economic benefit
- 11 derived from noncompliance. Any civil penalty assessed and unpaid
- 12 shall constitute a debt to the state which may be collected in the
- 13 manner of a lien foreclosure or sued for and recovered in a proper
- 14 form of action in the name of the state in the district court of
- 15 the county in which the violator resides or owns property. The
- 16 court shall, within thirty days after receipt, remit the civil
- 17 penalty to the State Treasurer for credit to the permanent school
- 18 fund.".
- 19 2. On page 2, line 5, after "misdemeanor" insert "or
- 20 subject to a civil penalty of not more than five hundred dollars
- 21 for each day the violation occurs"; strike beginning with "Each" in
- 22 line 7 through the period in line 8; in line 13 after "section"
- 23 insert "46-656.11, Reissue Revised Statutes of Nebraska, and
- 24 section"; and in line 14 strike "is" and insert "are".

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- 1 3. Renumber the remaining section accordingly.